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JAN - 6 2006
CLERK, U.S. DISTRICT COURT, JUDGE
WESTERN DISTRICT OF TEXAS
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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS**

Iron Thunderhorse, et al.

Case No. A-05-CA-1009-SS

Plaintiffs

Judge Samuel Sparks

vs.

**Motion to Postpone
Preliminary Injunction Hearing**

Rissi L. Owens, et al.

Defendants

On December 5, 2005, Plaintiffs served a Motion upon Defendants seeking a Preliminary Injunction. This Court set a hearing for 9:30 a.m. on January 17, 2006. On January 4, 2006, Plaintiffs' counsel was informed by an attorney for the Law Enforcement Defense Division of the Attorney General's Office that all of these Defendants had received our request for a waiver of service, but that none of these Defendants were willing to waive service. Instead, Defendants insisted upon being served via Fed. R. Civ. P. 4 (j).

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Accordingly, Plaintiffs prepared a Motion seeking an Order authorizing the United States Marshall to effect service. However, given the time that this is going to require, Plaintiffs' counsel requests an indefinite postponement of this January 17, 2006 hearing until all 22 Defendants have been served. When service has been effected, Plaintiffs counsel will file this proof with the Court. At this time, these parties will make their appearance and this Preliminary Injunction Hearing can be firmly scheduled.

Respectfully submitted



Norman L. Sirak
Ohio Reg. # 0038058
D.C. # 162669
75 Public Square – Suite 800
Cleveland, Ohio 44113
Phone (216) 781 – 2550
Fax (216) 781 – 6688
Email nsirak@parolereform.com